

**STANDARD APPLICATION**  
**Harford County**  
**Board of Appeals**  
 Bel Air, Maryland 21014

Case No. 5558  
 Date Filed 7/16/06  
 Hearing Date \_\_\_\_\_  
 Receipt \_\_\_\_\_  
 Fee \$450.00

Shaded Areas for Office Use Only

**Type of Application**

- \_\_\_\_\_ Administrative Decision/Interpretation  
 \_\_\_\_\_ Special Exception  
 \_\_\_\_\_ Use Variance  
 \_\_\_\_\_ Change/Extension of Non-Conforming Use  
 \_\_\_\_\_ Minor Area Variance  
 \_\_\_\_\_ Area Variance  
 \_\_\_\_\_ Variance from Requirements of the Code  
 \_\_\_\_\_ Zoning Map/Drafting Correction

**Nature of Request and Section(s) of Code**

CASE 5558 MAP 41 TYPE Variance  
 ELECTION DISTRICT 03 LOCATION 1304 Churchville Road, Bel Air 21014  
 BY Conits & Edwards LLC, 423 Saint John Street, Havre de Grace 21078  
 Appealed because a variance pursuant to Sec. 219-5(B) of the Harford County Code to allow a freestanding commercial sign within the required setback (1 foot proposed) and a variance pursuant to Sec. 219-13(B) of the Harford County Code to allow an internally illuminated commercial sign in the RO District requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

**Applicant/Owner (please print or type)**

Name CONITS & EDWARDS LLC Phone Number Call Attorney

Address 423 Saint John Street, Havre de Grace, MD 21078-2818  
 Street Number Street City State Zip Code

Co-Applicant Freedom Federal Credit Union Phone Number Call Attorney

Address Attn: Paul W. Linz, Jr., Chief Operating Officer, 2019 Emmorton Road, Bel Air, MD 21015  
 Street Number Street City State Zip Code

Contract Purchaser N/A Phone Number \_\_\_\_\_

Address \_\_\_\_\_  
 Street Number Street City State Zip Code

Attorney/Representative Kevin J. Mahoney, Esquire Phone Number 410-893-7500

Address Gessner, Snee, Mahoney & Lutche, PA, 11 S. Main St., PO Box 1776, Bel Air MD 21014  
 Street Number Street City State Zip Code

Rev. 12/02

## Land Description

Address and Location of Property 1304 Churchville Road in Bel Air, Harford County, Maryland

Subdivision N/A

Lot Number 1

Acreage/Lot Size 33399 SF

Election District 03

Zoning RO

Tax Map No. 41

Grid No. 4D

Parcel 429

Water/Sewer: Private

Public X

List ALL structures on property and current use: one commercial building approximately 4,880 SF housing the Freedom Federal Credit Union

Estimated time required to present case: \_\_\_\_\_

If this Appeal is in reference to a Building Permit, state number N/A

Would approval of this petition violate the covenants and restrictions for your property? NO

Is this property located within the County's Chesapeake Bay Critical Area? Yes \_\_\_\_\_ No X

If so, what is the Critical Area Land Use designations: N/A

Is this request the result of a zoning enforcement investigation? Yes \_\_\_\_\_ No X

Is this request within one (1) miles of any incorporated town limits? Yes \_\_\_\_\_ No X

## Request

SEE ATTACHED

## Justification

SEE ATTACHED

*If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)*

ATTACHMENT TO THE APPLICATION OF  
CONITS & EDWARDS LLC

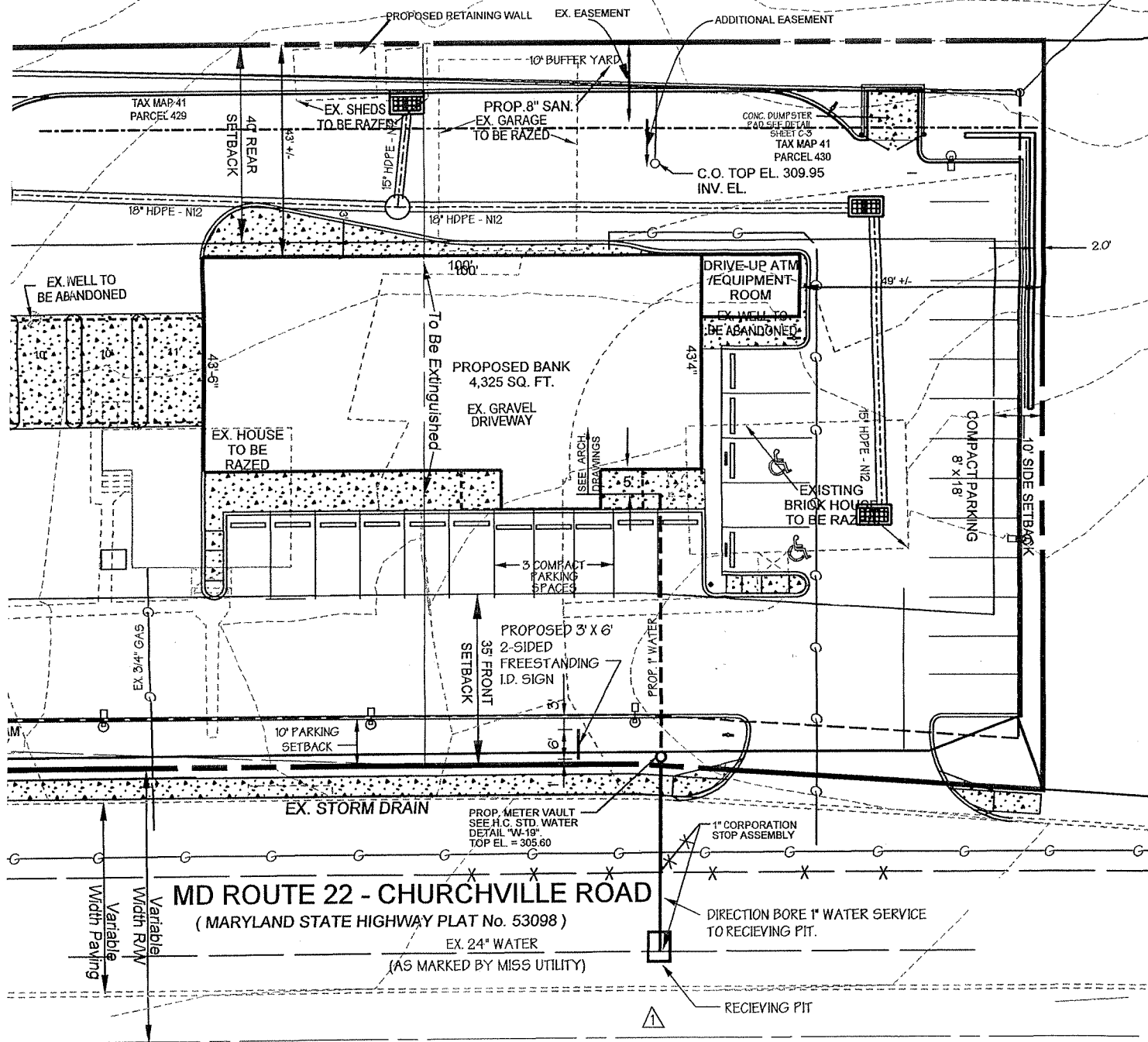
REQUEST

1. Variance from the requirements of Table VII A to allow a freestanding commercial sign in the RO District plus the 35 foot yard front yard setback.
2. Variance from the requirements of Section 219-13(B) to allow an internally illuminated commercial sign in the RO zone.

JUSTIFICATION

The subject property is unique as it is zoned RO but has been developed for Freedom Federal Credit Union rather than the more traditional conversion of an existing dwelling. The property adjoins more intensely zoned commercial uses including a 7-11 to the west and a small strip shopping center to the south. The RO zoning designation is more restrictive as to signage thereby preventing the applicant from placing an appropriate freestanding sign in front of their building.

The subject property is in close proximity to the intersection of Churchville Road and Moores Mill Road. Appropriately located signage with illumination will enhance the ability of drivers to identify the Freedom Federal location and provide for greater safety for vehicles entering and exiting the subject property. Presently, the only signage for the subject property is located on the building which is difficult to see for vehicles traveling on Route 22. The configuration of the building and parking on site make the proposed location of the sign the only viable location on the subject property. The proposed request will have no adverse impact on surrounding properties.



PLAN  
SCALE: 1" = 20'

DAVID R. CRAIG  
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO  
DIRECTOR OF ADMINISTRATION



C. PETE GUTWALD  
DIRECTOR OF PLANNING AND ZONING

## HARFORD COUNTY GOVERNMENT

### Department of Planning and Zoning

January 22, 2007

#### STAFF REPORT

#### **BOARD OF APPEALS CASE NO. 5558**

APPLICANT/OWNER: Conits and Edwards LLC  
423 Saint John Street, Havre de Grace, Maryland 21078-2818

Co-APPLICANT: Freedom Federal Credit Union  
Attn: Paul W. Linz, Jr., Chief Operation Officer,  
2019 Emmorton Road, Bel Air, Maryland 21015

REPRESENTATIVE: Kevin J. Mahoney, Esquire  
Gessner, Snee, Mahoney and Lutche, PA,  
11 South Main Street, P.O. Box 1776, Bel Air, Maryland 21014

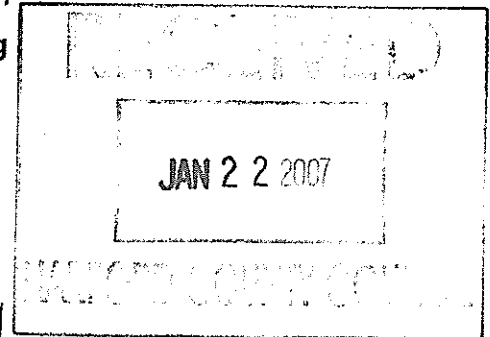
LOCATION: 1304 Churchville Road, Bel Air  
Tax Map: 41 / Grid: 4D / Parcel: 429 / Lot: 1  
Election District: Three (3)

ACREAGE: 33,399 square feet

ZONING: RO/Residential Office

DATE FILED: July 10, 2006

HEARING DATE: February 21, 2007



#### APPLICANT'S REQUEST and JUSTIFICATION:

See Attachment 1.

#### CODE REQUIREMENTS:

The Applicants are requesting a variance pursuant to Section 219-5(B) of the Harford County Sign Code to allow a freestanding commercial sign within the required setback (1 foot proposed), a variance pursuant to Section 219-13B(2) of the Harford County Sign Code to allow an internally illuminated commercial sign and a variance pursuant to Section 267-13B(1)(a) of the Harford County Sign Code to allow a free standing sign larger than 8 square feet in the RO/Residential Office District.

*Preserving Harford's past; promoting Harford's future*

MY DIRECT PHONE NUMBER IS (410) 638-3103

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Conits & Edwards LLC and Freedom Federal Credit Union

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Section 219-5(B) of the Harford County Sign Code reads:

*Freestanding signs. A freestanding sign shall include any sign supported by uprights or braces placed upon the ground and not attached to any building. Business signs may be freestanding if the property has a minimum of forty (40) feet of road frontage. The sign area shall be calculated on the basis of one (1) square foot of sign for every foot of property road frontage. However, the maximum area of any freestanding sign shall not exceed two hundred (200) square feet. The setback measured to the edge of the sign shall be equal to one-third (1/3) of the required building setback. Unless otherwise provided herein. The maximum height allowed for any freestanding sign is thirty-five (35) feet above the nearest public road grade. [Amended by Bill No. 86-29]*

Section 219-13(B) of the Harford County Sign Code reads:

**B. Residential Office District (RO).**

- (1) The following signs shall be allowed:
  - (a) One freestanding sign per parcel, which shall have a maximum of eight (8) square feet in area, shall be no more than six (6) feet in height and shall be placed perpendicular to the road; and
  - (b) A wall sign for each use, which shall be attached only to the front of a building, shall be adjacent to the front entryway and shall be no larger than four (4) square feet in area.
- (2) Freestanding and wall signs shall be constructed of wood, brass or bronze and shall not be internally illuminated. Both freestanding and wall signs may be externally illuminated.
- (3) Signs shall be constructed in an unobtrusive manner which compliments the architectural element of the building and reflects the architectural period of the building.
- (4) Temporary signs shall be prohibited in the RO District.

## **LAND USE and ZONING ANALYSIS:**

### **Land Use – Master Plan:**

The Applicants property is located east of Bel Air on the north side of Churchville Road (MD Route 22) approximately 300 feet east of Moores Mill Road. A location map and a copy of the Applicant's site plan are enclosed with the report (Attachments 2 and 3).

The subject property is located within the Development Envelope. The predominant land use designations in the area are Low, Medium and High Intensities. There are Neighborhood Centers located to the east and west of the subject property. The Natural Features Map reflects Sensitive Species Project Review Areas and stream systems. The subject property is designated as Medium Intensity which is defined by the 2004 Master Plan as:

***Medium Intensity - Areas within the Development Envelope where residential development is the primary land use. Density ranges from 3.5 to 7.0 dwelling units per acre. Grocery stores, variety stores and other commercial uses are examples of some of the more intensive uses associated with this designation.***

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Features Map (Attachments 4 and 5).

Land Use – Existing:

The existing land uses in this area of the County generally conform to the overall intent of the 2004 Master Plan. Residential uses include single-family dwellings, apartments, townhouses and condominiums. Commercial uses include shopping centers, individual retail businesses and service uses. The topography of the area ranges from rolling to steep. Enclosed with the report is a copy of the topography map and the aerial photograph (Attachments 6 and 7).

The subject property is located on the north side of Churchville Road (MD Route 22) approximately 300 feet east of Moores Mill Road. The property consists of approximately 33,300 square feet. The parcel is developed with a building and parking area. The building is owned and operated by the Freedom Federal Credit Union. To the east side of the entrance to the property there are 2 signs, one stating the name of the bank and the other a directional sign pointing to the drive-thru. Enclosed with the report are site photographs along with an enlargement of the aerial photograph (Attachment 8 & 9).

Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan. Residential zoning includes RO/Residential Office, R1, R2, R3 and R4/Urban Residential Districts. Business zoning includes B1/Neighborhood Business and B2/Community Business districts. The subject property is zoned RO/Residential Office, as shown on the enclosed copy of the Zoning Map (Attachment 10).

SUMMARY:

The Applicants are requesting a variance pursuant to Section 219-5(B) of the Harford County Sign Code to allow a freestanding commercial sign within the required setback (1 foot proposed), a variance pursuant to Section 219-13(B) of the Harford County Sign Code to allow an internally illuminated commercial sign and a variance pursuant to Section 267-13B(1)(a) to allow a free standing sign larger than 8 square feet in the RO/Residential Office District.

Section 219-5(B) of the Harford County Sign Code reads:

*Freestanding signs. A freestanding sign shall include any sign supported by uprights or braces placed upon the ground and not attached to any building. Business signs may be freestanding if the property has a minimum of forty (40) feet of road frontage. The sign area shall be calculated on the basis of one (1) square foot of sign for every foot of property road frontage. However, the maximum area of any freestanding sign shall not exceed two hundred (200) square feet. The setback measured to the edge of the sign shall be equal to one-third (1/3) of the required building setback. Unless otherwise provided herein. The maximum height allowed for any freestanding sign is thirty-five (35) feet above the nearest public road grade. [Amended by Bill No. 86-29]*

The sign is required to be a minimum of one-third of the required building setback. The required building setback is 35 feet. Therefore, a setback of 11' 7" is required. The proposed setback is 1 foot.

Section 219-13(B) of the Harford County Sign Code reads:

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*B. Residential/Office District (RO).*

*(1) The following signs shall be allowed:*

- (a) One freestanding sign per parcel, which shall have a maximum of eight (8) square feet in area, shall be no more than six (6) feet in height and shall be placed perpendicular to the road; and*

The size and height of the sign as proposed does not meet the requirements. The Applicants are proposing a sign 3 feet by 6 feet or 18 square feet in area, with a total height of 74 inches. The proposed sign location as shown on the site plan will be perpendicular to the road as required.

- (b) A wall sign for each use, which shall be attached only to the front of a building, shall be adjacent to the front entryway and shall be no larger than four (4) square feet in area.*

This request is not for a wall sign.

- (2) Freestanding and wall signs shall be constructed of wood, brass or bronze and shall not be internally illuminated. Both freestanding and wall signs may be externally illuminated.*

The two sided sign will be constructed of steel framing with plexi faces and internal illumination.

- (3) Signs shall be constructed in an unobtrusive manner which compliments the architectural element of the building and reflects the architectural period of the building.*

The applicant has provided no information as to how the sign compliments the architectural element of the building.

- (4) Temporary signs shall be prohibited in the RO District.*

Not applicable to this request.

219-17 variances – sign code:

The Board may grant a variance from the provisions of this Chapter if, by reason of the configuration or irregular shape of the lot or by reason of topographic conditions or other exceptional circumstances unique to the lot or building, practical difficulty or unnecessary hardship results. The Board shall, before granting the variance, make a written finding as part of the record that the conditions or circumstances described are unique to the lot or building, that the conditions or circumstances cause the difficulty or hardship and that the variance to be granted without impairment of the purpose and provisions of this chapter.

The Department finds that the subject property is not unique. The parcel is square in shape and the topography is mostly level. The existing use is clearly visible to approaching vehicles. There is currently a sign that meets the requirements of the code located on the property.



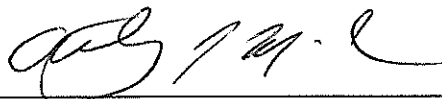
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**RECOMMENDATION and or SUGGESTED CONDITIONS:**

The Department of Planning and Zoning recommends that the requested variances be denied.

  
\_\_\_\_\_  
Dennis J. Sigler, Coordinator  
Zoning & Board of Appeals Review

DJS/ASM/dm

  
\_\_\_\_\_  
Anthony S. McClune, AICP  
Deputy Director, Planning and Zoning